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nation, and that the generous attitude of the American people as a whole toward the Japanese remains as it has always been. The President's investigation of the situation by a special commissioner has been eminently wise. We hope, and believe, that the final outcome will be an understanding and an arrangement for the Japanese pupils that will be just, and, at the same time, satisfactory to all concerned, and will strengthen rather than weaken the bonds of friendship and union between the two countries.

It must be confessed that in some of their contentions the San Francisco school authorities have reason on their side. It is very awkward to have adult foreigners just beginning their studies in classes with children ten years old or less. But special difficulties of this kind ought to be easily gotten over without depriving young Japanese boys of the great blessings which come to them, and to their nation, from pursuing their studies in our schools under the ordinary conditions. The conflict between the California State school laws and the national treaty with Japan,—a part of the supreme law of the land,—if such a conflict is proved to exist, must be settled in a manner to preserve to the Japanese, as a people, all the high rights and privileges which, by our own free determination, they have hitherto enjoyed. Anything less than this, at this advanced stage of civilization, would be in the highest degree discreditable to us as the leading democracy of the world. Whatever new treaty California Congressmen may propose to take the place of the present one, and to allow city school authorities to regulate the attendance of Japanese pupils, must be so guarded as not to permit a promiscuous school war throughout the country against the children of the East. The intelligence and the conscience of the American Congress and government may, we think, be trusted to prevent the essential injustice to the Japanese and the dishonor to our great country which some of the San Franciscans would not, we fear, hesitate to bring about.

### **The International Union of the American Republics.**

The important results of the third International American Conference, which was held at Rio Janeiro in July and August last, have not yet seemingly come to the knowledge of any considerable number of the people of this country. But they are gradually becoming known, and the more fully they are seen and understood, the greater their importance seems to be.

The Conference appears to have been less dramatic and sensational than the two which preceded it, if one may apply these terms to those historic gatherings. This was due in part to the better preparation of the program, from which all questions likely to produce serious division had been

eliminated, and in part to the natural development of the organization in clearness and intelligence.

From the articles by eye witnesses and participants which have appeared in the *Outlook*, the *Independent* and other journals, the practical results of the deliberations may be summed up as follows:

The arbitration resolution adopted approved of the general principle and practice of arbitration between the nations, and recommended that the delegates from the American states to the second Hague Conference be instructed to support "a general arbitration convention so effective and definite that, meriting the approval of the civilized world, it shall be accepted and put in force by every nation."

On the question of the settlement of pecuniary claims, the Conference recommended the extension for another five years (until December 31, 1912) of the treaty signed at the Mexican Conference five years ago. This treaty provided for the settlement of all questions of pecuniary claims by arbitration, and had been ratified by only six of the governments whose representatives had signed it at Mexico City.

The question of the forcible collection of public debts, one of the most delicate that came before the Conference, was disposed of by an agreement recommending to the governments represented "that they consider the advisability of inviting the second Peace Conference at The Hague to consider the question of the forcible collection of public debts and the best means tending to diminish conflicts which have their origin in pecuniary claims." In this way it was hoped to get action on the subject by all the powers, instead of leaving it to the American republics, most of which are debtor nations.

A general naturalization convention was adopted in accordance with the terms of which, if it shall be ratified, the American states will observe the rule that if a naturalized citizen returns to the country of his birth without the intention of going back to the land where he had been naturalized, and remains for two years, he shall be considered to have renounced his naturalized citizenship and resumed that of his native country.

A convention was agreed to, providing for the creation of a Commission on Public and Private International Law charged with the duty of formulating those principles of international law on which there is general agreement among the states of this hemisphere, and of studying those phases of international law, both public and private, on which differences of opinion exist, with the view of seeing if general rules on these also cannot be formulated for the conduct of the relations of the governments with one another.

A sanitation resolution was adopted providing for the establishment of an American Centre of Sanitary Information in the city of Montevideo, to have

close relations with special sanitary committees to be appointed in each of the nations, in order that all of the American states may have the advantage of the best that is known in regard to the prevention of disease and the preservation of life and health.

In addition to reaffirming the convention on patents, trade-marks and copyrights adopted at Mexico City, the Conference decided upon the creation of two international bureaus, one in Havana, the other in Rio Janeiro, for the registration of patents, trade-marks and copyrights.

A resolution was voted to continue the Permanent Committee of the Pan-American Railway, and recommending that the work of construction be pushed forward as rapidly as possible. The Bureau of American Republics was authorized to work out a plan for the encouragement of new steamship lines between the American states, and to create a special section of the Bureau on Commerce, Customs and Statistics. There were further resolutions providing for investigation of the crisis in the coffee trade, and of the history of the fluctuations of exchange between the American states.

It will be seen that most of this work was to all intents and purposes legislative, with the exception of the formal authority to enact into law. In other words, the Pan-American Conference has already become in essence an Advisory Congress or Parliament of the American nations, essentially permanent now and periodic. The time and place of the next Conference is left to the Bureau of American Republics, the preference of the Rio meeting being for Buenos Ayres in 1910.

It is true that no formal vote was taken at Rio Janeiro to make the Conference permanent and periodic, but its action in the matter of the reorganization of the Bureau of the American Republics and the extension of the scope of its activities, when ratified by the governments, as it certainly will be, makes the Conference henceforth a permanent international American institution. The Bureau, in addition to its commercial functions, is charged with the duty of compiling and classifying all information respecting treaties and conventions between the American governments, and between these and other governments, to assist in securing the ratification of the conventions and resolutions of the Pan-American Conferences, to prepare reports on all subjects assigned to it by the Conferences, to furnish to inquirers information concerning educational conditions in any of the American nations, and, as the Permanent Committee of the International American Conferences, which it was made at Rio Janeiro, to recommend topics for the program of the Conferences.

In the very instructive and interesting article on the work of the Conference in the *Independent* for November 8, from which we have derived the details of results here given, by Prof. L. S. Rowe, one of

the United States delegates to Rio, occur the words which we have made the title of this article, "International Union of the American Republics." That is a very significant phrase. It exactly describes what the Pan-American Conferences, with their Permanent Bureau and their special committees, have in seventeen years grown to be. The expression is prophetic also. It points out the future course of the common life of the peoples and states of this hemisphere, a life of growing community of thought, of aspiration, of interest, of struggle and effort, of success and happiness, of strength and honor. Much has been written and spoken about the federation of the world. Here we have in this Union the federation of one-half, or nearly one-half, of the world, already substantially accomplished,—not in completeness as yet, but far along towards it, and evolving itself in a way that will know no retrogression. Nothing in modern times is more illustrative of the rapid present movement of all parts of the world away from their ancient disunion, exclusiveness and hostility toward unity, fellowship and mutual service than this International Union of the American Republics.

To appreciate its full meaning, however, one must not forget that the world is not moving in halves. The South American nations have more and closer relations with Europe than they have with us. The United States likewise has a much larger and more intimate common life with the nations of Europe than with those to the south of us. What has happened, therefore, in the establishment of the Union of the American States must happen, and *is about to happen*, with all the nations of the world. They are one to day in all the more important respects of their contact with one another, and this oneness will inevitably declare itself in an authoritative form at an early day. We shall be greatly surprised if the coming Hague Conference does not, with the authorization of the governments sending representatives to it, go at least as far as the Pan-American Conference has gone, and provide that its meetings hereafter shall be automatic and essentially periodic, with delegates from every independent government of the world. Public opinion, through the Interparliamentary Union and other authoritative organizations, has for three or four years been powerfully declaring itself in this sense, and we feel sure that the able and experienced men who are going to The Hague next spring will not let the opportunity go by without giving us the beginnings of that formal world-organization for which the times are ripe.

CONFERENCE ON INTERNATIONAL PROGRESS.—A joint conference of the American Peace Society and the Twentieth Century Club was held at the Twentieth Century Club Rooms, Boston, on Wednesday evening, November 7. Hon. Robert Treat Paine presided. Hon. Lloyd E. Chamberlain and Dr. Benjamin F.

Trueblood gave account of the recent Milan Peace Congress and the Berlin Conference of the International Law Association. Mr. Osborne Howes spoke of the duties and responsibilities of the United States toward the Far East, from which he had just returned. Mrs. Mary Church Terrell, a member of the Washington School Board, spoke in a most interesting way of the negro in Washington. The conference was considered by all present to be both interesting and instructive.

### The Roosevelt Professorship at Berlin.

We are of those who have been delighted at the establishment of foreign professorships and the interchange of professors between the universities of different countries. This action has come out of the growing intercommunication and sympathy between the nations, and is one of the most encouraging signs of the times. The result of it also, in its ultimate fruits, will inevitably be to strengthen international amity and good fellowship, and to make misunderstanding and war less likely to occur.

One proviso must of course be added, that is, that the men who fill these professorships shall be entirely free to express their well-matured opinions on the subjects on which they give lectures. If they were to go abroad as a sort of tool of home party politics or of home narrowness and prejudice, with their mouths muzzled, such professorships would only increase the still existing evils of international ignorance, bigotry and contempt. They would attract only second or third rate men, as men of clear thought and conscientiousness would not consent to occupy them as intellectual bondmen. In this way they would soon come to an inglorious end.

Professor Burgess, Dean of Columbia University, lecturing at Berlin as Roosevelt Professor of American History and Institutions, had the entire right to give in his own name — and, moreover, it was his duty to give — his candid opinion of the status of the Monroe Doctrine, or any other American political doctrine or policy coming within the range of his discussion, whether his opinion was in accord with that of President Roosevelt or not. The name of the professorship has nothing whatever to do with the opinions of the man after whom it was named, unless it was so stipulated in the foundation. It is amazing that any body should ever have believed the press report that a scholar of Professor Burgess's standing had given out that his opinions as expressed in the lecture on the Monroe Doctrine and the Protective Tariff were those of President Roosevelt. When will the press quit circulating such flagrant absurdities?

The action of the American "colony" in Berlin in practically outlawing Professor Burgess deserves the unqualified reprobation of all true Americans. These "colonials" have exhibited in a very bad form, if the reports of their conduct be true, that spirit of national party narrowness, conceit and intolerance which has been the

prolific source of international distrust and hostility in the past, as well as of disunity and strife at home. It is not thus that national greatness and honor are promoted or international friendship and concord strengthened.

We can conceive of nothing that would do more to clear the international air and bring about good feeling and intelligent respect among the nations than a body of learned professors in these foreign and exchange chairs freely discussing the great problems of national and international interest and frankly conveying back and forth their impressions of the comparative merits and demerits of the constitutions, policies, institutions and customs of the two countries. When Professor Peabody of Harvard came back from his course of lectures at Berlin last year, he frankly told us that some of our floating notions of the German Emperor and people were quite erroneous, and that they were not the aggressive and belligerent lot that many Americans suppose. Ought he to have kept silent about this, for fear of wounding our patriotic sensibilities? Our patriotism ought to have got sufficiently beyond the stage of childishness to be willing to be instructed and rectified in matters of this kind, either by Professor Peabody on this side of the water or by Dean Burgess on the other, or at any rate to keep in a good humor while listening to the opinions of distinguished educators whose views differ from our own.

### Editorial Notes.

Dr. Darby in his able paper, "A Year's Record of International Arbitration," read before the Conference of the International Law Association at Berlin on the 2d of October, called attention to the fact that not a single new case had come before the Hague Court during the year. This, he said, had been regretted by some, and seemed to be an evidence of retrogression. But it must be remembered, he declared, that the Court is a creature of yesterday, and that its employment is entirely dependent on the will of the nations having differences between them. But beyond these grounds given by Dr. Darby there is a still more significant reason why no case has gone to the Court the past year. There has been no controversy to refer to the Court. This may seem to be an overdrawn statement; but it states the truth of the case in sufficiently accurate terms. The Moroccan difficulty, it is true, might have been carried to The Hague, but it was of such a political nature as to make another form of pacific adjustment seem wiser. The existence of the International Court does not take from diplomacy its peace-making function, nor render settlement by conference improper. Indeed, the existence of the Court has strengthened this function of

No Case  
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